

MINUTES
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BOARD OF SELECTMEN
MONDAY, JUNE 12, 2006
REGULAR SESSION
SELECTMEN'S MEETING ROOM, TOWN HALL
7:00 PM

Call to Order

A regular meeting of the Board was called to order in open session at 7:00 PM in the Selectmen's Meeting Room at Town Hall. All members were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

Questions from Town Residents

There were no questions.

Action by Appointment

The Board moved: to enter into executive session for the purpose of discussing litigation and to subsequently return to open session.

The motion was carried unanimously (3-0). The Board entered executive session at 7:02 PM.

(During executive session, one substantive motion was offered and passed unanimously.)

The Board returned to open session at 7:56 PM.

Other

The Board moved: to sign letters to Belmont's Congressman and Massachusetts' Senators opposing the proposed telecommunications bill.

The motion was carried unanimously (3-0).

There was discussion of the farmers' market and concerns that were raised by a local business owner. Selectman Firenze said he has received a number of e-mails on this matter but feels that his responses have been largely understood. A proposal to allow the florist (Kabloom) to buy and re-sell locally grown flowers did not work out. With regard to the fish store, no fish will be sold at the farmer's market. The only competition for local businesses would be a vendor who may sell garden plants, but those are already

being sold elsewhere in town. There is a concern about loss of parking from people attending the market. The Farmer's Market organizers did look at every site in town before settling on the parking lot as the only feasible site for the farmers' market

Chairman Solomon said that he thinks the farmer's market will be positive for everyone and will bring more people into the center, which will benefit businesses. He expressed regret that there have been areas of concern.

Action by Appointment

Evaluation of the Budget Process

Chair Pat Brusch and Anne Marie Mahoney appeared for the Capital Budget Committee. Chairman Solomon said we are not going to talk about any solutions, only process. He noted that action on forming a core services working group had been postponed pending this discussion.

Selectman Firenze said there is a link between budget process and a discussion of core services. Zero-based or activity-based budgeting means if you had \$1, what would you spend it on? What if you had \$2? The answers to these questions start to define core activities, and he believes Belmont should be fully funding those activities before spending money on fringe activities. The City of Somerville did a project on this with great results. The Town needs to find out what our core activities are and what it will cost to fully fund them. It will be necessary to break this down by department and ask what are the most important things each department does.

It was noted that this exercise does not need to occur during the normal budget process, in fact, it should start now. It does mean an increase in workload for the department heads and it would be good to get some help from college interns. However, it would be less of a workload the second time around.

Mr. Younger noted that it would be virtually impossible to do a full zero-based budgeting exercise on every Town department simultaneously, it's just too big a project. The buy-in of the department heads will be necessary, they will have to be supportive.

Ms. Brusch said this is a really good idea. She views the discussion of core activities to be slightly different, because on the Warrant Committee the discussion was about entire departments that might be judged to be non-core.

Chairman Solomon pointed out that there is a public input variable as to what is core.

Ms. Mahoney said the question is "is there a core Town mission and every department has to support that (in which case those that do not would become expendable), or does each department have a core mission and the Town has to support them because they are all valuable."

Selectman Brownsberger suggested asking Mr. Younger to think about which would be the best department to begin this process with.

Selectman Firenze suggested it would be natural to start with the police department since there will be a new chief and he will need to do a top-to-bottom review anyway. Also, Public Works because of the changes that have been made in recent years. He said he would also like to look at the Council on Aging and Recreation. He said Mr. Younger should get in touch with the Kennedy School and see if their students can provide some help on the project.

Selectman Brownsberger said even if the Town does not realize actual savings from this, we might achieve better focus.

The Board agreed that this should be looked into and should be discussed with the Warrant Committee and the School Committee. Mr. Younger will report back to the Board in a couple of weeks on his research. It was agreed to leave aside the question of the core services working group for now.

Purecoat Update

Purecoat Planning Committee members Scott Ferson, Joe Fiacco, and Steve Tomczyk, appeared before the Board.

It was announced that the Chair of the Committee, Noah Sachs, has moved to Virginia.

Mr. Fiacco explained to the Board that he and his colleagues have discussed the future of the committee. They feel they have accomplished a lot but fallen short of their ultimate mission. The Committee evaluated better uses of the property, particularly residential re-development, but has not been able to make that happen. They have also been focused on regulatory compliance. The Town has lost a lot of leverage on this as Purecoat has brought themselves into compliance with EPA regulations, and DEP feels they have done what they have been asked to do on subsurface contamination. DEP focuses on drinking water issues, imminent hazard issues, and indoor air quality issues. So far the Town does not have any compelling evidence in these areas. The immediate neighbors so far do not appear to have been affected by groundwater contamination. The Town would need data suggesting there is a risk of migration of contamination to get DEP to force Purecoat to do more work.

The Committee has also worked with the Board of Health to come up with a hazardous materials by-law and that is in progress – Town Counsel is working on it now.

However, Purecoat is still here and seems to have no desire to move on.

Selectman Firenze said that as a result of the Committee's efforts, Purecoat continues to evaluate the financial viability of their presence here.

Mr. Fiacco said if the committee is reconstituted, it could come from a different angle. In the past the Committee was split half and half between real estate people and environment people. This time, the Committee could try to focus on driving the economic redevelopment now that the environmental aspects have been taken as far as they can go, unless migrated contamination towards Little Pond is found.

There was discussion of what such testing would entail. Mr. Fiacco said it would cost about \$5-10,000, less if the Town could test on residents' property. Selectman Firenze said if he were a property owner in the area he would not jump at that because if there is a problem now the property owner is on the hook even though he or she may have a claim against Purecoat.

Selectman Brownsberger suggested the Committee author a report explaining what has been done, what questions have been answered and which have not, and place it in the public domain and see what the people feel about it. The Board agreed.

Selectmen Firenze and Brownsberger will pursue discussions with Purecoat about relocation. It was agreed that it would be premature for the Committee to be active on this front until and unless the owner of the company shows an interest in exploring the alternatives. Mr. Ferson said even at that point the Committee might not be needed. The Committee believes the neighborhood would accept a zoning change that allows the highest and best use of the property. If the Board is getting directly involved that is the key factor in persuading Purecoat.

It was agreed the Committee will submit its report by the end of July.

The Board moved: to ask the Committee to send the Board a report by the end of July assessing the situation with Purecoat, and that upon completion and dissemination of the report and the lapse of 60 days, the Committee shall be dissolved.

The motion was carried unanimously (3-0).

There was discussion of how to disseminate the report and make sure the abutters know about it. It was agreed to send a letter to the abutters to notify them the report has been issued and put the report on the web site.

Committee Appointments

It was clarified that the By-law Review Committee is not the Board's responsibility but the Moderator's.

Housing Trust: The Warrant Committee member has not been attending meetings. It would be good to have an active Warrant Committee member.

The Board moved: to appoint Art Herron as an associate member and Nancy Marsh as a full member of the Housing Trust.

The motion was carried unanimously (3-0).

Cable TV: Richard Pew has agreed to stay on until the Verizon negotiations are complete.

The Board moved: to reappoint Richard Pew to the Cable Television Advisory Committee.

The motion was carried unanimously (3-0).

Conservation Commission: The Commission should have 3 to 7 full members. There are 6 full members currently and the Commission would like to have another full member. Chairman Solomon proposed attorney Faustino Lichauco for full membership. Selectman Brownsberger said he also has been talking to an attorney who would be a good candidate but he has not indicated his acceptance. Selectman Firenze suggested Robert Delhome, who owns an environmental business, as an associate member.

The Board moved: to appoint Robert Delhome as an associate member of the Conservation Commission.

The motion was carried unanimously (3-0).

The Board agreed to hold off until next week on action on a full member pending the response of Selectman Brownsberger's candidate.

Ruth Foster is requesting reappointment as an associate member. Monica King, who is an associate member, wishes to stay on and has asked to be made a full member.

The Board moved: to reappoint Monica King as an associate member of the Conservation Commission.

The motion was carried unanimously (3-0).

Selectman Firenze moved: to reappoint Ruth Foster as an associate member of the Conservation Commission.

Chairman Solomon said Ms. Foster's attendance record has been poor and she has been very vocal in opposition to some of the things the committee does. She has given an extraordinary amount of service to the Town, but he does not support her reappointment.

Selectman Brownsberger said dissent is always helpful, but attendance is more of a concern. The Board needs to focus on creating functioning committees, so he feels he must decline to support her reappointment.

The motion was rejected (1-2).

There was discussion of appointing additional associate members. Selectman Firenze expressed his strong view that he would like to add a member with an independent and practical perspective that could balance the voices of some very committed environmentalists. It was agreed to revisit this next week.

Cultural Council: The Board needs to contact the co-chairs and get their recommendations. There are three appointments to be made.

Disability Access Commission: Carole Williams wants to be reappointed.

The Board moved: to reappoint Carole Williams to the Disability Access Commission.

The motion was carried unanimously (3-0).

Patricia Livingstone-Espiet, a former member of the Commission, would like to be appointed again.

The Board moved: to appoint Patricia Livingstone-Espiet to the Disability Access Commission.

The motion was carried unanimously (3-0).

Historic District Commission (HDC): Selectman Firenze said he gets more calls about this committee than any other. But nobody works harder than these people. The members of the Commission are in support of the reappointment of their colleagues Richard Cheek, Paul Bell, and Richard Pichette.

There was discussion of whether to ask the HDC to come before the Board for discussion of their charge and approach with an eye towards making a decision on appointments.

Selectman Brownsberger said he does not want to start revisiting old decisions which cannot be undone. If the Board is concerned about the extent of the HDC's actions it could move to reduce their scope of power by an act of Town Meeting. He proposed reappointing Mr. Pichette and Mr. Bell and making Mr. Cheek an associate member, leaving open the possibility of restoring full membership in the future. This is more a question of style than substance.

It was suggested that there has been a lot of improvement in Mr. Cheek's approach and ability to work effectively with other organizations over the last year or so. There was never any question about his expertise. Chairman Solomon suggested the Board reappoint Mr. Cheek as a full member but for only a 1-year term which would have a similar message.

The Board moved: to reappoint Richard Pichette and Paul Bell to the Historic District Commission for three year terms.

The motion carried unanimously (3-0).

The Board moved: to reappoint Richard Cheek to the Historic District Commission for a one year term.

The motion was carried unanimously (3-0).

Human Rights Commission: Chairman Solomon suggested former assistant attorney general Rosalind Kabrhel and has indicated she would like to serve. Selectman Firenze nominated Janet Cudmore-Boswell, a lifelong resident of Belmont who has worked in the Community Development Department and has experience with minority issues. Selectman Brownsberger nominated Laurie Graham, chair of the Youth Commission and also a member of the Disability Access Commission and the Harvard Lawn Fire Station Committee. She wants to serve, but there was discussion of whether she would be overburdened.

The Board moved: to appoint Rosalind Kabrhel and Janet Cudmore-Boswell to the Human Rights Commission for 3-year terms and to appoint Laurie Graham to the Human Rights Commission for a 2 year term.

The motion was carried unanimously (3-0).

Personnel Board: Joseph Griffin is seeking reappointment. For the other open seat, Chairman Solomon suggested Theodore Dukas, who had expressed interest previously and is an HR professional

The Board moved: to appoint Theodore Dukas to the Personnel Board.

The motion was carried unanimously (3-0).

The Board moved: to reappoint Joe Griffin to the Personnel Board.

The motion was carried unanimously (3-0).

Youth Commission: Commission Chair Laurie Graham said they only want two new people. Karen Freidberg has indicated she would be willing to serve for 1 year.

The Board moved: to reappoint Karen Freiberg to the Youth Commission for a 1-year term.

The motion was carried unanimously (3-0).

Further action was deferred.

Pavement Management Committee: Selectman Firenze suggested Mario Rathle. Chairman Solomon said Karen Freidberg is also interested. Mr. Younger will give these names to Community Development Director Glenn Clancy and DPW Director Peter Castanino to add to their own list and submit back to the Board.

The Board will consider remaining appointments to the Conservation Commission, Cultural Council, Youth Commission, and Pavement Management Committee at the next meeting.

There was discussion of the Board's decision last week to reappoint two members of the Recreation Commission. There was concern whether the Board was inconsistent in applying its principles in doing this, given that the members in question have served for at least 20 years and one is a paid coach, and those are both things the Board said in the past it does not want.

Chairman Solomon said we need to know how many years people on committees have served.

The Board moved: to regretfully rescind the reappointments of Paul Graham and Mary Ann Johnson to the Recreation Commission.

The motion was carried unanimously (3-0).

The Board apologized to the Mr. Graham and Ms. Johnson for the confusion. Chairman Solomon will call them and explain this action. The Board will consider substitute appointments to the Recreation Commission next week as well.

Town Administrator's Report

Mr. Younger reported on the following items:

- The Treasurer has done an outstanding job reducing delinquent tax status from fiscal 2006. The number of outstanding taxpayers has gone from over 300 to 68 in one month and from \$900,000 outstanding to \$240,000. Also, a new ambulance collection policy has been worked out with Mr. Carman to bring those outstanding monies in.
- Belmont Country Club/Woodfall Road: The Town is following up with them on the status of the Woodfall Road agreement.
- Senior Center: Town department heads are meeting again this Wednesday with the Senior Center project manager to provide their input in the hopes of keeping the project on its timeline.
- Financial Software: The software implementation process will begin June 20.

- Central Fire Station Disposition: A public information session was recently held on the three proposals for redevelopment of the fire station. The Town and the Belmont Center Planning Group will be reviewing the proposals intently to match them up with the criteria in the RFP.
- Cable TV negotiations: A draft license agreement is being reviewed by Verizon.
- Habitat house: The Housing Trust is having a June 18 meeting on the Habitat House. Habitat did respond to their list of questions and they will be reviewing that.

Other

Follow-up on last week's discussion of Alexander Avenue and Channing Road parking rules: Residents on Channing feel too many cars park in front of their houses while other streets have parking restrictions and they don't. There was discussion.

Selectman Brownsberger suggested sending a letter to the residents presenting some options. Mr. Conti suggested Sgt. Hamilton of the Traffic Division and Community Development Director Glenn Clancy would be great to have input from. Selectman Firenze suggested expanding the focus slightly to include adjacent streets and asking those gentlemen to look at the problem.

The Board adjourned at 10:44 PM.

Thomas G. Younger
Town Administrator